

IFD

Practitioner's Docket No. U 014698-7

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent application

of \_\_\_\_\_

Inventor(s)

for \_\_\_\_\_

Title of invention

**OR**

In re application of: **NATESAN SELVAKUMAR, et al**

Application No.: 10/613,414

Group No.: N/A

Filed: JULY 3, 2003

Examiner: N/A

For: **NOVEL HETEROCYCLIC COMPOUNDS HAVING ANTIBACTERIAL  
ACTIVITY: PROCESS FOR THEIR PREPARATION AND PHARMACEUTICAL  
COMPOSITIONS CONTAINING THEM**

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING OR  
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. 1.97(b))**

**CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10\***

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**37 C.F.R. 1.8(a)**

**37 C.F.R. 1.10\***

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Date: Sept. 2  
August 30, 2004

Signature

Janet I. Cord

*(type or print name of person certifying)*

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

NOTE: 37 C.F.R. 1.98(b):

- (1) *Each U.S. patent listed in an information disclosure statement must be identified by inventor, patent number, and issue date.*
- (2) *Each U.S. patent application published listed in an information disclosure statement shall be identified by applicant, patent application publication number, and publication date.*
- (3) *Each U.S. application listed in an information disclosure statement must be identified by the inventor, application number, and filing date.*
- (4) *Each foreign patent or published foreign patent application listed in an information disclosure statement must be identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application.*
- (5) *Each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication.*

**WARNING:** *No extension of time can be had under 37 C.F.R. § 1.36 (a) or (b) for filing an IDS. 37 C.F.R. § 1.97(f).*

NOTE: *The "filing date of a national application" under 37 C.F.R. 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark office, the filing is defined in 37 C.F.R. 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the national fee; (2) a copy of the international application, unless already sent by the International Bureau, and an English translation if filed in another language; (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. 37 C.F.R. 1.97(b)(2).*

### **IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. 1.97(b).

NOTE: *"No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."*

NOTE: *"An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).*

NOTE: *"The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).*

**NOTE:** "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**WARNING:** "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).

If a fee is required, please charge deposit account 12-0425.



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**SIGNATURE OF PRACTITIONER**

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**JANET I. CORD**

(type or print name of practitioner)

Reg. No. 33,778

Tel. No.: (212)708-1887

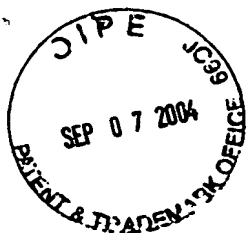
Customer No.: 00140

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P.O. Address

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c/o Ladas & Parry LLP  
26 West 61<sup>st</sup> Street  
New York, N.Y. 10023



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: NATESAN SELVAKUMAR, et al  
Application No.: 10/613,414 Group No.: N/A  
Filed: JULY 3, 2003 Examiner: N/A  
For: NOVEL HETEROCYCLIC COMPOUNDS HAVING ANTIBACTERIAL  
ACTIVITY: PROCESS FOR THEIR PREPARATION AND PHARMACEUTICAL  
COMPOSITIONS CONTAINING THEM

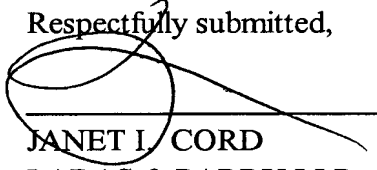
Attorney Docket No.: U 014698-7

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

**INFORMATION DISCLOSURE STATEMENT**

We draw the attention of the Examiner to the attached references which are also listed  
on the attached Form PTO-1449.

Respectfully submitted,

  
JANET I. CORD  
LADAS & PARRY LLP  
26 WEST 61<sup>ST</sup> STREET  
NEW YORK, NEW YORK 10023  
REG.NO.33,778(212)708-1935

**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) AND 1.10**

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**37 C.F.R. Section 1.8(a)**

**37 C.F.R. Section 1.10**

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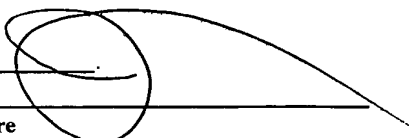
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**TRANSMISSION**

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Date: August 30, 2004

Sept. 2

  
Signature

Janet I. Cord

*(type or print name of person certifying)*

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U. S DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use several sheets if necessary)

ATTY. DOCKET NO.

U 014698-7

SERIAL NO.

10/613,414

APPLICANT

Selvakumar NATESAN ET AL.

FILING DATE

07/03/2003

GROUP

1614

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	FILING DATE IF APPROPRIATE
	AA	6,124,334	09/2000	Hutchinson	
	AB	4,174,958	11/1979	Pilgram	
	AC	3,651,079	03/1972	Skorez et al.	
	AD	4,910,341	03/1990	Lang	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AE	11-322729	11/1999	JP		X
	AF	3536066	04/1986	DE		X
	AG	2357591	05/1974	DE		X
	AH	95/07271	03/1995	WO		
	AI	01/09107	02/2001	WO		
	AK	96/13502	05/1996	WO		

OTHER ART (Including Author, Title, Date, Pertinent Dates, Etc.)

	AL	Patent Abstracts of Japan English language abstract of JP 11-322729, dated November 24, 1999
	AM	U.S. Patent 4,910,341 corresponding to German Publication DE 3536066, dated April 17, 1986
	AN	U.S. Patent 3,963,706 corresponding to German Publication DE 2357591, dated May 22, 1974
	AO	Melissaris, A. P. and J. A. Mikroyannidis. "Thermally Stable Polymers Based on Bismaleimides Containing Amide, Imide and Ester Linkages", <i>J. Polymer Science: Polymer Chemistry Part A</i> (1989), 27: 245-262
	AP	Artico, M. et al. "Research on Compounds with Antitubercular Activity", <i>Il Farmaco - Ed. Sci.</i> , (1969), 24(2): 179-190
	AQ	Ueda, Minoru et al. "Syntheses and Novel Bioactivities of Artificial Leaf-Opening Substances of <i>Lespedeza Cuneata</i> G. Don, Designed for the Bioorganic Studies of Nyctinasty", <i>Tetrahedron</i> (1999), 55: 10925-10936
	AR	Ricca, Jean-Marc and David H.G. Crout. "Selectivity and Specificity in Substrate Binding to Proteases: Novel Hydrolytic Reactions Catalysed by $\alpha$ -Chymotrypsin....." <i>J. Chem. Soc. Perkin Trans. I</i> (1993), 1225-1233

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449

U. S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

SERIAL NO.

U 014698-7

10/613,414

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

APPLICANT

Selvakumar NATESAN ET AL.

(Use several sheets if necessary)

FILING DATE

GROUP

07/03/2003

1614

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	FILING DATE IF APPROPRIATE
	AA	3,963,706	06/1976	Pfaffmann	
	AB				
	AC				
	AD				

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AE	97/27188	07/1997	WO		
	AF	03/011859	02/2003	WO		
	AG					
	AH					
	AI					
	AK					

## OTHER ART (Including Author, Title, Date, Pertinent Dates, Etc.)

	AL	
	AM	
	AN	
	AO	
	AP	
	AQ	
	AR	

EXAMINER

DATE CONSIDERED

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